

**TOWN OF SEABROOK, NEW HAMPSHIRE
DEPARTMENT OF PUBLIC WORKS P.O.
BOX 456 SEABROOK, NH 03874**

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February 19, 2009

M032-09

* ALSO SUBMITTED VIA E-MAIL *

Thelma Murphy
United States Environmental Protection Agency
Office of Ecosystem Protection
One Congress Street- Suite 1100
Boston, MA 02114

Subject: Comments on the Draft 2008 MS4 General Permit
 Seabrook, NH

Dear Ms. Murphy,

The purpose of this letter is to provide formal comments on behalf of the Town of Seabrook, New Hampshire, on the Draft NPDES 2008 Small Municipal Separate Storm Sewer System (MS4) General Permit. The Notice of Availability of the General Permit for Discharges from Small MS4 communities in New Hampshire was published by the United States Environmental Protection Agency (USEPA) in the Federal Register on December 23, 2008.

Seabrook has carefully reviewed the proposed requirements and control measures proposed in this Draft MS4 Permit from the perspective of overall impact to the Town of Seabrook. Our primary comments and concerns are respectfully submitted and are as follows:

1. The expanded **public education** (i.e., residential, business/commercial, developer / construction and industrial) and involvement components included in **Section 2.3.2** will place a large burden on Seabrook. We request that USEPA develop a national educational program on stormwater pollution prevention that includes information pertinent to these sectors. A USEPA educational Program would be far more effective in New Hampshire's multiple MS4 communities than many individual small programs. Finally, the USEPA should continue to allow joint efforts - such as materials and programs developed by the Seacoast Stormwater Coalition - to count toward education goals.
2. The **definition of "screening"** that is applied to dry weather outfall inspections is extensive and would be extremely costly. Seabrook requests that USEPA consider outfall inspections to include the visual and sensory evaluation (as described by USEPA in **2.3.4.6.d.ii**) but more limited screening sampling, such as using field test kits for detergent in lieu of the nine-parameter analytical collection proposed in **Section 3.2.2**.

3. Many components in the Draft MS4 Permit include **timelines** that are very aggressive in the context of limited municipal budgets. Unfortunately, as of the date of this writing, Seabrook residents have not endorsed or passed a Municipal **Budget** since 2007¹ Seabrook proposes the following timelines for these components:

- Develop illicit discharge responsibilities, methods, verification, and progress protocol (**Section 2.3.4.6.c**) by end of third Permit year (not the first);
- Walking all stream miles (**Section 2.3.4.6.d**) by end of the fifth Permit year (not the second);
- Evaluation of street- and parking lot-design guidelines to address impervious area (**Section 2.3.6.6**) by the end of the fourth Permit year (not the second);
- Complete MS4 catchment area assessment and prioritization and impervious area (**Section 2.3.6.8.a**) evaluation by the end of the third Permit year (not the first);
- Complete an inventory of Town-owned properties (**Section 2.3.7.1**) within two years (not six months) of Permit issuance and development of a written Operations and Maintenance plan for these Town-owned properties by the end of the third Permit year (not the first); and.
- Begin outfall monitoring program (**Section 3.0**) no later than the end of the second Permit year (not the first).

Seabrook is active in the Seacoast Stormwater Coalition, and also participated in the development of the formal comments on the 2008 Draft MS4 Permit submitted to the USEPA from that organization. We look forward to reviewing the USEPA's Response to Comments later this year.

Please do not hesitate to contact me at (603) 474-9771 if you have any questions about the Town of Seabrook's comments.

Very truly yours,

Mr. John M. Starkey
Manager, Department of Public Works

cc: Barry Brenner, Town Manager
Board of Selectmen
Sue Foote, Chairman - Planning Board and
Conservation Commission
Mr. Joseph Boccadoro, P.E. (AECOM)